

REMARKS

In the present Amendment, Claim 1 has been amended to recite "(C) at least one substance selected from synthetic resins providing tackiness to the rubber composition and liquid polymers having a weight-average molecular weight of 1,000 to 50,000." Section 112 support for this amendment is found, for example, in original Claim 6. Claims 6 and 15-16 have been cancelled without prejudice and disclaimer. Claims 7 and 17 have been amended to depend from Claim 1 and to be consistent with the amendment to Claim 1. Claim 9 has been amended to correct a typographical error. No new matter has been added, and entry of the Amendment is respectfully requested.

Upon entry of the Amendment, Claims 1-5, 7-14 and 17-21 will be pending.

In paragraph No. 1 of the Action, Claims 1-21 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakagawa (JP 2000-129037, English translation provided) in view of Nakamura et al (US 6 414 073, "Nakamura").

Applicants submit that this rejection should be withdrawn because Nakagawa and Nakamura do not disclose or render obvious the present invention, either alone or in combination.

Nakagawa is relied upon as teaching a rubber composition for tire comprising copolymer (A) and copolymer (B) as recited in present Claim 1 (abstract).

The Examiner concedes that Nakagawa does not disclose the use of (C) a resin providing tackiness to the rubber composition or a liquid polymer having a weight-average molecular weight of 1,000 to 50,000.

Nakamura is cited as teaching a pressure sensitive rubber adhesives further comprising a tackifier such as terpene-phenol resin (col. 4, lines 24-34).

The Examiner contends that it would have been obvious to include in Nakagawa the use of a terpene-phenol resin tackifier, as taught by Nakamura, in order to increase the tackiness of the rubber composition.

Applicants respectfully disagree.

The matrix copolymer component (A) of Nakagawa is a styrene-butadiene copolymer, while the matrix polymer component (A) of Nakamura is a combination of natural rubber and a styrene-isoprene- styrene block copolymer (abstract). The matrix polymers between Nakagawa and Nakamura are so different from each other that the resins described in Nakamura cannot be easily introduced in the rubber compositions of Nakagawa by those having ordinary skill in the art.

Further, the present invention provides a rubber composition for tires which exhibits decreased dependence on the temperature, an excellent road gripping property and excellent processability in production plants and can be advantageously used for tire treads. See, the paragraph bridging pages 2 and 3 of the specification.

The results in Table 1 at pages 27-29 and Table 2 at pages 35-38 of the specification show that the synergistic effect on the hysteresis loss property, the road gripping property on dry roads and the road gripping property on wet roads was exhibited by the combined use of the styrene-butadiene copolymer of component (A), the hydrogenated styrene-butadiene copolymer of component (B) and at least one substance selected from the resins and the liquid polymers of component (C). See, the first paragraph at page 39 of the specification.

None of Nakagawa and Nakamura teach or suggest the unexpectedly superior results provided by the present invention. Therefore, it would not have been obvious to combine Nakagawa and Nakamura.

In view of the above, reconsideration and withdrawal of the §103(a) rejection based on Nakagawa and Nakamura are respectfully requested.

In paragraph No. 2 of the Action, Claims 1-21 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakagawa in view of Sasaka et al (US 6 186 204, "Sasaka").

Applicants submit that this rejection should be withdrawn because Nakagawa and Sasaka do not disclose or render obvious the present invention, either alone or in combination.

Sasaka discloses a rubber composition for tire tread comprising a rubber component (mainly SBR), a softener and a specified vulcanization accelerator (abstract and col. 2, lines 2-33). The softener may be phenol-terpene resins or petroleum hydrocarbon resins (col. 9, lines 3-6).

Sasaka focuses on road gripping property on wet roads and is silent on road gripping property on dry roads. Therefore, the resins disclosed in Sasaka cannot be easily introduced in the rubber compositions of Nakagawa by those having ordinary skill in the art.

Further, none of Nakagawa and Sasaka teach or suggest the unexpectedly superior results provided by the present invention discussed above. Therefore, it would not have been obvious to combine Nakagawa and Sasaka.

In view of the above, reconsideration and withdrawal of the §103(a) rejection based on Nakagawa and Sasaka are respectfully requested.

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: May 9, 2008